

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

STEPHON LINDSAY, #207044,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:07-CV-399-WC
	)	
RICHARD ALLEN, et al.,	)	
	)	
Defendants.	)	

**ORDER ON MOTIONS**

Upon review of the document filed by the plaintiff on August 17, 2007 (Court Doc. No. 28), which the court construes to contain a motion to amend and motion to substitute, and for good cause, it is

ORDERED that:

1. The motion to amend, in which the plaintiff identifies Errick Demus, nurse Robbins and nurse Robert as defendants, be and is hereby GRANTED.<sup>1</sup>
2. The aforementioned individuals be added as defendants in this cause of action.
3. The motion to substitute defendants be and is hereby GRANTED.
4. Correctional officer Streeter be substituted as a defendant for correctional officer Screecher.
5. Edward Haynes be substituted as a defendant for correctional officer Hanes.
6. The newly amended and identified defendants undertake a review of the subject

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<sup>1</sup>The documents filed by the parties in this case indicate that the correct name of the initial nurse listed in the motion to amend is Patricia Robbins.

matter of the complaint, as amended, (a) to ascertain the facts and circumstances; (b) to consider whether any action should be taken to resolve the subject matter of the complaint; and (c) to determine whether other similar complaints should be considered together.

7. Defendants Demus, Robbins, Robert, Streeter and Haynes shall file a written report containing the sworn statements of all persons having knowledge of the subject matter of the complaint, as amended. This report shall be filed with the court and a copy served upon the plaintiff on or before September 28, 2007. Authorization is hereby granted the defendants to interview all witnesses, including the plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where the plaintiff's claims or the defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines.

8. An answer shall be filed by the newly amended and substituted defendants on or before September 28, 2007 in response to the complaint, as amended.

9. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.

**The plaintiff is CAUTIONED that this court will not continue to grant him leave to amend without a showing of exceptional circumstances.**

The CLERK is hereby DIRECTED to furnish a copy of this order to the plaintiff and a copy of this order, the complaint and amendments to the complaint to defendants Errick Demus, nurse Patricia Robbins, nurse S. Robert, correctional officer Streeter and correctional officer Edward Haynes. A copy of this order and the instant amendment to the complaint shall likewise be furnished to all other defendants, General Counsel for the Alabama Department of Corrections and counsel for Prison Health Services, Inc.

Done this 20th day of August, 2007.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE